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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/016,998

12/14/2001

Paul A. Kline

CRNT-0034

4988

7590

04/19/2005

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EXAMINER

PAYNE, DAVID C

ART UNIT

PAPER NUMBER

2633

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/016,998	KLINE, PAUL A.	
	Examiner	Art Unit	
	David C. Payne	2633	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41, 43-46, 50-59 and 61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41, 43-46, 50-59 and 61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/10/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 20 - 24, 27-35, 58, 59, 61 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown US 6,282,405 B1 (Brown).

Re claims 20 - 24, 27, 28, 33-35, 58, 59, 61 Brown disclosed a device for converting data between fiber optic data lines and electric power systems comprising a first interface port for a first data signal with the fiber optic data network (94 of Figure 8), a second interface port for communicating a second data signal with the electric power system (H.R.C Fuse incoming supply), a fiber transceiver/modem (transceiver/modem Figure 2) in communication with the system. (Re claim 58), Brown disclosed telecommunications signals e.g. television signals, which may be analogue and/or digital format (e.g., col./lines: 8/39-41).

Re claims 29-32, Brown disclosed a low, medium and high voltage network implementations (e.g., col./lines: 3/65-67).

Claim Rejections - 35 USC § 103

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 5-19, 26, 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown US 6,282,405 B1 (Brown).

Re claim 1, 2, 5-19, 26, 40 Brown disclosed the method whereby

a network linking a plurality of premises comprising a section of broadband telecommunications network and a plurality of electrical power cables each connected to a respective one of the premises for supplying mains electrical power thereto, each of said power cables also being connected to the section of broadband telecommunications network so that telecommunications signals are transmissible between the section of broadband telecommunications network and each of said power cables, wherein a telecommunications signal is transmissible to and/or from said plurality of premises by being transmitted along the section of broadband telecommunications network and also along the respective power cable of each of said premises. The power transmission/distribution network being used to propagate the telecommunications signal from the telecommunications network into e.g. the premises of a user and vice versa i.e. the communications may be bi-directional. The broadband telecommunications network may be a standard broadband distribution network e.g. a coaxial, twisted pair or fiber cable (e.g., col./line: 2/22-45, 2/50-55). Brown does not disclose the network condition unit (Figure 8) as a bypass transformer. However, it would have been obvious to one of ordinary skill in the art at the time of invention that two inductive coils (L_1 and L_2) are indeed constitute a bypass transformer since they are used to impedance match between the inside wiring and the network (e.g., col./lines: 11/28-35).

Re claims 10-13, Brown disclosed a low, medium and high voltage network implementations (e.g., col./lines: 3/65-67).

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5. Claim 3, 4, 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown US 6,282,405 B1 (Brown) in view of Hylton et al. 5,630,204 (Hylton).

Re claim 3, 41 Brown disclosed the aforementioned invention but does not disclose where the focus signal is compliant with the Synchronous Optical Network Standard (SONET). Hylton disclosed a ADSL bay connected to a SONET fiber optical fiber (217 of Figure 2, col./lines: 7/7-17). It would have been obvious to one of ordinary skill in the art at the time of invention to use SONET as the networking standard over the optic fiber since it is the predominant standard for public optical networks and used as an interoperable standard for many optical telecommunication devices.

Re claim 4 Brown disclosed telecommunications RF signals e.g. television signals, which may be analogue and/or digital format (e.g., col./lines: 8/39-41).

6. Claims 9, 25, 36-39, 43 – 46, 50-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown US 6,282,405 B1 (Brown) in view of Nishikawa et al. US 6,420,964 B1 (Nishikawa).

Re claims 9, 25, 36-39, 43 - 46 Brown disclosed a device for converting data between fiber optic data lines and electric power systems comprising a first interface port for a first data signal with the fiber optic data network (94 of Figure 8), a second interface port for communicating a second data signal with the electric power system (H.R.C Fuse incoming supply), a fiber transceiver/modem (transceiver/modem Figure 2) in communication with the system. (Re claim 58), Brown disclosed telecommunications signals e.g. television signals, which may be analogue and/or digital format (e.g., col./lines: 8/39-41). Brown does not disclose using a router in communication with the fiber optic transceiver.

Nishikawa disclosed the use of routers in communication an optical/power network (e.g., col./lines: 8/10-20). It would have been obvious to one of ordinary skill in the art at the time of invention to use routers on the optical network since they are well known for connecting disparate networks into a

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seamless IP logical network.

Re claims 50-57, Brown disclosed a low, medium and high voltage network implementations (e.g., col./lines: 3/65-67).

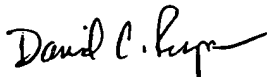
Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David C. Payne whose telephone number is (571) 272-3024. The examiner can normally be reached on M-F, 7a-4p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dcp



David C. Payne
Patent Examiner
AU 2633